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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/314,966	05/20/1999	SYED S. ALI	ALI117-3	5858

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EXAMINER
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SING, SIMON P

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 02/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/314,966	ALI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Simon Sing	2645	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 and 18-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12, 15, 18, 19 and 22 is/are rejected.
- 7) ☒ Claim(s) 13, 14, 20 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1-7, 9-12, 15 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Nabkel US 5,963,626.

1.1 Regarding claim 1, Nabkel discloses a centralized voice messaging system (telephone answering device) in figure 6 (column 4, lines 55-60), comprising:

a telephone line interface for accepting telephone calls from callers (column 2, lines 25-33);

a controller (by inherency) for comparing user IDs and PINs with pre-stored caller information (column 2, lines 29-33; column 4, lines 24-33);

a pre-stored caller ID information memory (by inherency) to pre-stored caller ID information associated with party calling the system that is authorized to leave a secure message on the system (column 2, lines 29-37);

a voice message memory (by inherency) adapted to store a plurality of voice messages (column 3, lines 16-26); and

a secured message authorization module (controller with associated software) adapted to allow a party calling said voice messaging system to leave a private voice message for an individual recipient (such as Julieann), or a group voice message for a baseball team (column 3, lines 16-26). Nabkel teaches that a voice message is secured with a message PIN or a recipient's PIN (column 3, lines 53-58) so that only the recipient(s) with the correct PIN can retrieve a secured voice message (column 4, lines 20-47), after the party calling the system is authorized, i.e. caller ID matches pre-stored caller information (column 2, lines 29-37).

1.2 Regarding claim 2, Nabkel teaches:

a playback/recording module adapted to record a voice message (column 3, lines 16-26).

Art Unit: 2645

1.3 Regarding claim 3, Nabkel teaches:

an authorized security code table which including information relating to an ability of a party calling the voice messaging system to separately secure a voice message (column 2, lines 28-32, 58-65; column 3, lines 53-58).

1.4 Regarding claim 4, Nabkel teaches that the authorized security code table includes at least one security code (PIN) allowing a recipient (user) to access a secured voice message (column 4, lines 24-47).

1.5 Regarding claim 5, Nabkel teaches that the authorized security code table is adapted to includes call related information (PIN) relating to at least one calling party authorized to secure a voice message (column 2, lines 29-37, 58-65; column 4, lines 24-47).

1.6 Regarding claim 6, Nabkel teaches that the secured message authorization module is adapted to allow a party calling the voice messaging system to secure a voice message upon entry of a PIN matching a pre-stored PIN (column 2, lines 29-37, 58-65).

1.7 Regarding claim 7, Nabkel teaches the secured message authorized module is adapted to allow a party calling the voice messaging system to secure a voice message upon matching call related information (PIN) with a pre-stored caller information (column 2, lines 29-37).

1.8 Regarding claim 9, Nabkel teaches:

a call related information detector/receiver adapted to detect and receive call related information regarding the parting calling the system (column 2, lines 29-37).

1.9 Regarding claim 10, Nabkel teaches that the controller is adapted to compare call related information received regarding a party calling the voice messaging system, with at least one pre-stored authorized security code to allow said party to separately secure a voice message (column 2, lines 29-37, 58-65; column 3, lines 53-58).

1.10 Regarding claims 11 and 18, Nabkel discloses a voice messaging system (telephone answering device) (column 4, lines 55-60) using a single mailbox (a mailbox is a memory area for storing messages) for securing a voice message. Nabkel teaches:

receiving caller ID from a party calling the system (column 2 lines 29-33; column 4, lines 24-27);

comparing an entered caller ID to a pre-stored caller ID (column 2, lines 34-37, 58-65); and

upon matching said entered caller ID with the pre-stored caller ID, securing the voice message for access only by an authorized recipient (user) with a corresponding message PIN or a recipient PIN (column 2, lines 34-37; column 3, lines 16-26, 53-58; column 4, lines 21-47).

Art Unit: 2645

1.11 Regarding claims 12 and 19, Nabkel teaches that the securing is performed after said message is being recorded (column 3, lines 53-58; figure 3, steps 132, 141).

1.12 Regarding claims 15 and 22, Nabkel teaches that a party calling the voice messaging system is prompted to enter his PIN (column 2, lines 29-33). Nabkel also teaches interfacing with DTMF via a telephone (column 5, lines 61-65).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nabkel US Patent No. 5,963,626 in view of Oberlander et al. US Patent No. 5,825,865.

Nabkel discloses a voice messaging system in that a first calling party (column 2, lines 28-32) can leave a voice message with specified security parameters, such as a recipient PIN, i.e. security status (column 3, lines 53-55; column 4, lines 21-47). Nabkel fail to teach that the recipient PIN is included in the header of the voice message.

However, Oberlander discloses a multimedia messaging system in figure 1. Oberlander teaches that in addition to a destination ID, a message header includes a personal ID of a recipient (column 4, lines 27-31, 44-52; Figure 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Nabkel's reference with the teaching of Oberlander, so that the recipient PIN of the voice messages would have been stored in the header portion of the voice message, because such a modification would have clarified the Nabkel's teaching of where the recipient PIN was associated to the voice message.

***Allowable Subject Matter***

3. Claims 13, 14, 20 and 21 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
4. The following is a statement of reasons for the indication of allowable subject matter:

The current invention recites a limitation of securing a voice message before or during recording. The securing, while not positively recited in these claims, is to tag a security status with the voice message. See page 6, lines 28 and 29, page 7, lines 1 and 2 of the Specification. Nabkel teaches securing a voice message only after the voice message is recorded.



***Response to Arguments***

5. Applicant's arguments with respect to claims 1-15 and 18-22 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.



S. Sing

01/30/2006



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